

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

FRIDAY, THE 18TH DAY OF SEPTEMBER 2020 / 27TH BHADRA, 1942

WP (C) . No. 13662 OF 2020 (G)

PETITIONERS:

- 1 KERALA PRIVATE COLLEGE TEACHERS ASSOCIATION
(GOVT. REGN. NO. G.O (MS) NO. 2/06 H. EDN. DT. 04.04.2006)
KPCTA MANDIR, TC-25/2814 MBRRRA36, MATHRUBHUMI ROAD,
VANCHIYOOR, THIRUVANANTHAPURAM-695035,
REPRESENTED BY ITS PRESIDENT DR. JOBY THOMAS.K,
S/O K.O. THOMAS, AGED 55 YEARS, ASSOCIATE PROFESSOR AND
VICE PRINCIPAL, DEPARTMENT OF CHEMISTRY,
ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR,
RESIDING AT KAKKASSERY HOUSE, VELUKKARAN LANE,
EAST FORT THRISSUR-680005.
- 2 DR. U. ABDUL KHALAM,
AGED 54 YEARS
S/O LATE M. UMMER PILLAI, ASSOCIATE PROFESSOR,
IQBAL COLLEGE, PERINGAMALA, THIRUVANANTHAPURAM,
RESIDING AT HOUSE NO. 4, BLUE MOUNT GARDENS,
PEROORKADA. P.O, THIRUVANANTHAPURAM-695005.
- 3 JOBIN JOSE,
AGED 41 YEARS
S/O JOSEPH JOSEPH, ASSISTANT PROFESSOR,
DEPARTMENT OF MALAYALAM, DEVA MATHA COLLEGE,
KURAVILANGADU, KOTTAYAM,
RESIDING AT CHEMAKALAYIL HOUSE, THELLAKAM. P.O,
KOTTAYAM-686633.

BY ADVS.
SRI. ARUN. B. VARGHESE
SMT. AISWARYA V. S.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 THE PRINCIPAL SECRETARY,
DEPARTMENT OF HIGHER EDUCATION DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

3 THE DIRECTOR,
DIRECTORATE OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM-695033.

4 UNIVERSITY GRANTS COMMISSION,
REPRESENTED BY ITS SECRETARY,
BAHADUR SHAH ZAFAR MARG, NEW DELHI-110002.

SRI.S.KRISHNAMOORTHY, CGC
SRI.P.M. MANOJ, SR GP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18.09.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This writ petition is filed seeking the following prayers:

“(1) To issue a writ of mandamus or any other writ or order directing the respondents 1 and 2 to implement the revised pay and revised rate of Dearness Allowances in accordance with Exhibit P2 and to disburse the financial benefit including arrears forthwith.

(2) To issue a writ of mandamus or any other writ or order directing the respondents 1 and 2 to grant the revised pay and revised rate of Dearness Allowances in accordance with Exhibit P2 including the arrears to the writ petitioners 2 and 3.

(3) To issue a writ of mandamus or any other writ or order directing the 2nd respondent to consider and pass orders on Exhibit P3 representation.”

2. Heard the learned counsel for the petitioners and the learned Government Pleader.
3. Though the respondents were directed to place a statement on record and time had been granted, no statement is seen filed.
4. The learned counsel for the petitioners submits that

Ext.P3 representation has been moved by the 1st petitioner Association before the Government and that the same may be directed to be considered and disposed of in accordance with law.

5. In the above view of the matter, there will be a direction to the 1st respondent to take up, consider and pass appropriate orders on Ext.P3 representation submitted by the 1st petitioner within a period of three months from the date of receipt of a copy of this judgment. The contentions of the petitioners shall be adverted to and appropriate orders shall be passed.

This writ petition is ordered accordingly.

sd/-

ANU SIVARAMAN

JUDGE

NP

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1 TRUE COPY OF UGC REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS AND OTHER ACADEMIC STAFF IN UNIVERSITIES IN HIGHER EDUCATION 2018

EXHIBIT P2 TRUE COPY OF G.O(P)NO.18/2019/HEDN DATED 29.06.2019 ISSUED BY THE 2ND RESPONDENT

EXHIBIT P3 TRUE COPY OF THE REPRESENTATION DATED 24.02.2020 SUBMITTED BY THE 1ST WRIT PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT'S/S EXHIBITS: NIL